

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	)	Criminal No.	5:14-CR-340 (GTS)
)		
v.	)	Indictment	
)		
STEPHEN M. HOWELLS II and	)	Violations:	18 U.S.C. § 2251(a) and (e)
NICOLE F. VAISEY,	)		[Conspiracy to Sexually
	)		Exploit Children];
	)		18 U.S.C. § 2251(a)
	)		[Sexual Exploitation of
	)		Children];
	)		18 U.S.C. § 2252A (a)(5)(B)
	)		[Possession of Child
	)		Pornography]
	)	5 Counts	
)		
Defendants.	)	County of Offense:	St. Lawrence

THE GRAND JURY CHARGES:

COUNT 1
[Conspiracy to Sexually Exploit Children]

From in or about July 2014 through in or about August 15, 2014, in St. Lawrence County in the Northern District of New York, defendants **STEPHEN M. HOWELLS II and NICOLE F. VAISEY** conspired to employ, use, persuade, induce, entice, and coerce one or more minors, that is V-1, a female child born in 2002, and V-2, a female child born in 2007, whose identities are known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, where the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT 2
[Sexual Exploitation of Children]

From on or about August 13, 2014 through on or about August 15, 2014, in St. Lawrence County in the Northern District of New York, the defendants, **STEPHEN M. HOWELLS II** and **NICOLE F. VAISEY**, did employ, use, persuade, induce, entice, and coerce a minor, that is: V-1, a female child born in 2002 whose identity is known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, where the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2251(a).

COUNT 3
[Sexual Exploitation of Children]

From in or about 2012 through in or about 2014, in St. Lawrence County in the Northern District of New York, defendant **STEPHEN M. HOWELLS II** did employ, use, persuade, induce, entice, and coerce a minor, that is: V-3, a female child born in 2006 whose identity is known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, where the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2251(a).

COUNT 4
[Sexual Exploitation of Children]

From in or about 2012 through in or about 2014, in St. Lawrence County in the Northern District of New York, defendant **NICOLE F. VAISEY** did employ use, persuade, induce,

entice, and coerce a minor, that is: V-3, a female child born in 2006 whose identity is known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, where the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2251(a).

COUNT 5
[Possession Of Child Pornography]

On or about August 15, 2014 in St. Lawrence County, in the Northern District of New York, **STEPHEN M. HOWELLS II** did knowingly possess material that contained one or more images of child pornography that had been transported using a means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, and that was produced using materials that had been shipped and transported in and affecting such commerce by any means, including by computer, that is: a 500GB Seagate hard drive, S/N 5QM11ZRR, within an Antec homemade desktop computer with no serial number, which contained numerous graphic image files of minors engaged in sexually explicit conduct, in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2256(8)(A).

That violation involved images of child pornography involving prepubescent minors and minors who had not attained 12 years of age, in violation of Title 18, United States Code, Section 2252A(b)(2).

FORFEITURE ALLEGATION

The allegations contained in Counts 1 through 5 of this Indictment are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253, upon conviction of the charges alleged in Counts 1 through 5, the defendants, **STEPHEN M. HOWELLS II and NICOLE F. VAISEY**, shall forfeit to the United States of America:

a. Any visual depiction described in Title 18, United States Code, Sections 2251 and 2252A (incorporating the definition of child pornography in 18 U.S.C. §2256(8)), or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;

b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense, and

c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offense; including, but not limited to:

- 1) A 2004 red Pontiac, Sunfire, NY registration GCR6443;
- 2) A 2001 white Honda, Civic, NY registration BVZ9284;
- 3) An Antec homemade desktop computer with no serial number, containing five hard drives, including one 500GB Seagate hard drive, s/n 5QM11ZRR;
- 4) A Canon G7 Digital camera s/n #3221205452;
- 5) An iPhone model #A1349, EMC#2422, FCC ID: BCG-E2422B; and
- 6) An iPhone model #A1387, IC# 579C-E2430A, FCC ID: BCG-E2430A.

If any of the property described above, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party,
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without

difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853 (p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).

Dated: September 17, 2014

A TRUE BILL, ***NAME REDACTED***


(Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By:



Lisa M. Fletcher
Assistant United States Attorney
Bar Roll No. 510187